

REMARKS

Claims 1 and 2 are pending in the present application.

Applicants wish to thank Examiner Robinson for the indication that Claims 1 and 2 are free from the art of record and allowable. Applicants have attended to the noted formal matters with respect to Claim 2 and have canceled non-elected Claims 3-12.

In the Advisory Action mailed June 29, 2007, the Examiner makes no reference to the proper procedural handling of the April 2, 2007 response and that the amendments presented therein are entered in part only as to formal matters. The Examiner is referred to MPEP §714.20(C), which states:

(C) In an application in which prosecution on the merits is closed, i.e., after the issuance of an *Ex Parte Quayle* action, where an amendment is presented curing the noted formal defect and adding one or more claims some or all of which are in the opinion of the examiner not patentable, or will require a further search, the amendment in such a case will be entered only as to the formal matter. Applicant has no right to have new claims considered or entered at this point in the prosecution.

In view of the foregoing, Applicants are under no obligation to again file the enclosed amendments as the response filed on April 2, 2007 properly resolved the formal matter objections in the *Ex Parte Quayle* action mailed on February 1, 2007. Despite the provisions of MPEP §714.20(C), in a telephone message left with the undersigned on July 31, 2007, the Examiner implied that the response filed on April 2, 2007, was denied entry in its entirety. Applicants disagree with the Examiner in regard to the proper procedural handling of the April 2, 2007, response. Nonetheless, Applicants have presented the amendments above, which are the same as those filed to correct formal matters on April 2, 2007, to ensure proper handling by the Office and immediate allowance of this application.

Since the response filed on April 2, 2007, was proper as for matters of formality and MPEP §714.20(C) directs entry of this response as to resolution of formal matters, no extensions of time are due.

Accordingly, Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

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